

Chuck Grassley
S.L.C.

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

H. R. 3731

To provide overtime pay for employees of the United States
Secret Service, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. GRASSLEY

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Secret Service Recruit-
5 ment and Retention Act of 2018”.

6 **SEC. 2. EXTENSION OF OVERTIME PAY EXCEPTION**
7 **THROUGH 2018 FOR PROTECTIVE SERVICES.**

8 (a) AMENDMENTS.—

9 (1) IN GENERAL.—Section 2 of the Overtime
10 Pay for Protective Services Act of 2016 (5 U.S.C.
11 5547 note) is amended—

1 (A) in the section heading, by striking “IN
2 **2016**” and inserting “**DURING 2016 THROUGH**
3 **2018**”;

4 (B) in subsection (a), by striking “2016”
5 and inserting “2016, 2017, or 2018”; and

6 (C) in subsection (b), by striking para-
7 graph (1) and inserting the following:

8 “(1) IN GENERAL.—Notwithstanding any other
9 provision of law, including section 5547(a) of title 5,
10 United States Code, and only to the extent that an
11 appropriation is provided specifically in an appro-
12 priations Act for premium pay in excess of the an-
13 nual equivalent of the limitation on the rate of pay
14 contained in section 5547(a), any covered employee
15 may receive premium pay during 2016, 2017, and
16 2018, to the extent provided under section 118 of
17 the Treasury and General Government Appropria-
18 tions Act, 2001 (5 U.S.C. 5547 note).”.

19 (2) CLARIFYING PROVISION.—Section 118 of
20 the Treasury and General Government Appropria-
21 tions Act, 2001 (5 U.S.C. 5547 note) is amended,
22 in the first sentence, by inserting “or 3056A” after
23 “section 3056(a)”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect as if enacted on December
3 31, 2016.

4 (c) REPORT ON EXTENSIONS.—Not later than Janu-
5 ary 30, 2018, and January 30, 2019, the Director of the
6 Secret Service shall submit to the Committee on Home-
7 land Security and the Committee on Oversight and Gov-
8 ernment Reform of the House of Representatives and the
9 Committee on Homeland Security and Governmental Af-
10 fairs of the Senate a report on the effects of the amend-
11 ment made by subsection (a)(2). The report shall include,
12 with respect to the previous calendar year—

13 (1) the total number of United States Secret
14 Service personnel receiving premium pay above the
15 premium pay limitation in subsection (a) of section
16 5547 of title 5, United States Code;

17 (2) the total amount of premium pay for that
18 calendar year paid to United States Secret Service
19 personnel above the premium pay limitation in such
20 subsection;

21 (3) the mean and median amount of premium
22 pay paid to United States Secret Service personnel
23 above the premium pay limitation in such sub-
24 section;

1 (4) the greatest amount paid to United States
2 Secret Service personnel above the premium pay lim-
3 itation in such subsection and the number of em-
4 ployees who received that amount;

5 (5) notwithstanding the amendments made by
6 subsection (a), the total number of United States
7 Secret Service personnel who were not fully com-
8 pensated for service because of the premium pay
9 earnings limitation in section 118 of the Treasury
10 and General Government Appropriations Act, 2001
11 (5 U.S.C. 5547 note);

12 (6) the total amount of premium pay United
13 States Secret Service personnel would have been
14 paid but for the premium pay earnings limitation in
15 such section; and

16 (7) a list of United States Secret Service per-
17 sonnel who, within the calendar year, received pre-
18 mium pay above the premium pay limitation in sub-
19 section (a) of section 5547 of title 5, United States
20 Code, and separated from the agency, including the
21 type of separation in each case.

22 **SEC. 3. REPORT OF THE COMPTROLLER GENERAL OF THE**
23 **UNITED STATES.**

24 Not later than 1 year after the effective date of this
25 section, the Comptroller General of the United States shall

1 complete a study and submit to the Committee on the Ju-
2 diciary of the House of Representatives, the Committee
3 on the Judiciary of the Senate, the Committee on Over-
4 sight and Government Reform of the House of Represent-
5 atives, and the Committee on Homeland Security and Gov-
6 ernmental Affairs of the Senate a report on the extent
7 of the progress made by the United States Secret Service
8 in implementing the recommendations of the United
9 States Secret Service Protective Mission Panel, including
10 in particular those items pertaining to training and per-
11 sonnel enumerated in the Executive Summary to Report
12 from the United States Secret Service Protective Mission
13 Panel to the Secretary of Homeland Security dated De-
14 cember 15, 2014.